

BEFORE THE BOARD OF NURSING
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 8.32.302 and 8.32.409,)
relating to re-certification of)
nurse midwives and authorized)
signatures on nurses' licenses)

TO: All Concerned Persons

1. On August 28, 2003, the Department of Labor and Industry published MAR Notice No. 8-32-60 regarding the public hearing on the proposed amendment of the above-stated rules relating to re-certification of nurse midwives and authorized signatures on nurses' licenses at page 1835 of the 2003 Montana Administrative Register, issue no. 16.

2. On October 2, 2003, a public hearing on the proposed amendment of the above-stated rules was conducted in Helena. No public comments were made at the hearing. Written comments were received before the comment period closed.

3. After considering the comments, the Board of Nursing amended ARM 8.32.409 exactly as proposed.

4. After considering the comments, the Board of Nursing amended ARM 8.32.302 with the following changes (deleted matter stricken, new matter underlined):

8.32.302 NURSE MIDWIFERY PRACTICE (1) remains as proposed.

(2) Effective December 31, 2004, all licensed certified nurse midwives shall be enrolled in either the certification maintenance program or the continuing competency assessment program through the ~~American College of Nurse Midwives~~ college of nurse midwives. ~~The mailing address for the American College of Nurse Midwives is 818 Connecticut Avenue, NW, Suite 900, Washington, DC 20006; Phone: (202) 728 9860; Web: www.midwife.org.~~ Contact information for the American college of nurse midwives may be obtained from the Montana board of nursing office at 301 South Park Avenue, P.O. Box 200513, Helena, MT 59620, telephone (406) 841-2340.

AUTH: 37-1-131, 37-8-202, MCA
IMP: 37-8-202, 37-8-409, MCA

5. The Board of Nursing has thoroughly considered all of the comments received. A summary of the comments and the Board's responses are as follows:

8.32.302 NURSE MIDWIFERY PRACTICE

Comment 1: Sami Butler, on behalf of the Montana Nurses' Association (MNA) expressed support for the proposed amendment to ARM 8.32.302 as a reasonable step to protect Montana citizens. Ms. Butler suggested deleting the mailing address for the American College of Nurse Midwives because the address may change in the future and the rule would need to be amended.

Response 1: The Board agrees that the proposed amendment to ARM 8.32.302 protects the public by requiring certification maintenance or continuing competency assessment for licensed nurse midwives. The Board also agrees it should delete from the rule contact information for the American College of Nurse Midwives (ACNM) and substitute the Board's own contact information. The Board maintains information concerning the ACNM and is able to field inquiries for contact information. Processing inquiries in that way would guard against contact information for ACNM inadvertently remaining in the rule after it is outdated.

8.32.409 PREPARATION OF LICENSES

Comment 2: Sami Butler, on behalf of the Montana Nurses' Association (MNA) supports the proposed amendment of ARM 8.32.409 as a reasonable step to maximize efficiency in the licensing process.

Response 2: The Board agrees with the comment.

6. The Board notes that it has corrected capitalization in ARM 8.32.302 for the purpose of complying with the style guidelines of the Secretary of State's Administrative Rules Bureau.

BOARD OF NURSING
KIM POWELL, RN, CHAIRMAN

/s/ WENDY J. KEATING
Wendy J. Keating, Commissioner
DEPARTMENT OF LABOR & INDUSTRY

/s/ MARK CADWALLADER
Mark Cadwallader
Alternate Rule Reviewer

Certified to the Secretary of State December 15, 2003.